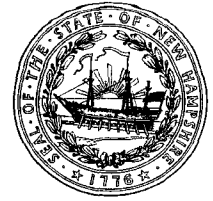




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

July 6, 2006

Mr. John Winnie
Plant Manager
HP Hood, LLC, Concord Division
330 North State Street
Concord, New Hampshire 03301

CERTIFIED MAIL (7005 1160 0004 7467 7199)
RETURN-RECEIPT REQUESTED

NOTICE OF PAST VIOLATION
(Sta.S)

Dear Mr. Winnie:

On March 31, 2006, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") received a permit application from HP Hood, LLC, ("HP Hood") relative to the fuel-burning devices located at 330 North State Street, Concord, New Hampshire. DES has reviewed HP Hood's compliance status with the N.H. Administrative Rules Env-A 100 *et seq.*, NH Rules Governing the Control of Air Pollution. The purpose of this letter is to notify you of the violations discovered during the permit application review. The specific violations are as follows:

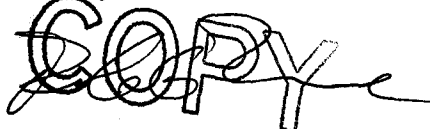
1. Env-A 603.01 states that no person shall cause or allow the construction or installation of a new or modified stationary source, area source, or device as specified in Env-A 607.01, without having applied for and been issued a temporary permit. Env-A 607.01(b) requires an owner or operator to obtain a permit prior to the installation of a device that will use #4 fuel oil and which has a design rating greater than or equal to 4 million BTUs/hour. HP Hood installed a boiler with a design rating of 6.28 MBTUs/hour in calendar year 1985 that is fueled by #4 fuel oil without first applying for a temporary permit. On March 31, 2006, DES received HP Hood's permit application.
2. Env-A 705.01 requires the owner or operator of a device that is required to have a permit to annually pay emission-based fees on or before April 15th of the following year. On May 10, 2006, DES sent HP Hood an invoice for emission fees for calendar years 2002 through 2005 in the amount of \$4,190. DES received payment of emissions fees on May 31, 2006, which brings HP Hood's account current.

DES recognizes the efforts that HP Hood has taken to come into compliance. Accordingly, no further action in response to the listed violations is required.

DES requests that HP Hood comply with the NH Code of Admin. Rules Env-A 100 *et seq.*, *NH Rules Governing the Control of Air Pollution* and all obligations contained in any permit issued to HP Hood. In the event that other violations are identified or if HP Hood fails to comply with all applicable requirements in the future, DES may take further action against HP Hood.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Barbara Hoffman at (603) 271-7874, Air Resources Division, Compliance Bureau. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.nh.gov/rules/air.htm> or by contacting the DES Public Information Center at (603) 271-2975.

Sincerely,

A handwritten signature in black ink, appearing to read 'COPY' with a stylized flourish extending to the right.

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/asb

cc: R. Kurowski, EPA Region 1
G. Hamel, DES Legal Unit Administrator
M. Donovan, Mayor, City of Concord
AFS # 3301390103